

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

KIERAN COUGHLAN and CLAIRE)	CASE NO.: 8:17-cv-00003-JMG-SMB
RIORDAN,)	
)	
Petitioners,)	
)	MOTION FOR JUDGMENT ON
vs.)	ARBITRATION AWARD
)	
FERGUS HOBAN,)	
)	
Respondent.)	

COMES NOW Petitioners Kieran Coughlan and Claire Riordan (“Petitioners”) and move for the entry of an order to a) confirm their arbitration award, rendered in Ireland, by Frank Nyhan, dated October 4, 2016, issued against Respondent Fergus Hoban (“Respondent”) and in favor of Petitioners (the “Arbitration Award”), and b) award judgment in their favor and against Respondent Fergus Hoban, without further delay. In support of this Motion, Petitioners state as follows:

1. On January 6, 2017, Petitioners Kieran Coughlan and Claire Riordan filed a Petition to Confirm Foreign Arbitration Award (Doc. # 1) against Respondent Fergus Hoban.

2. The confirmation of a foreign arbitration award is meant to be a summary procedure to allow enforcement of an award.

3. In response to the Petition, Respondent filed an Answer and Affirmative Defenses (Doc. # 10). Respondent did not file any motion in this Court to vacate the award.

4. On the same date Respondent filed its Answer, Respondent filed a Motion to Stay Enforcement Proceedings (Doc. # 11). Respondent’s motion stated that an appeal of the Arbitration Award was pending in the Irish High Court and requested a stay of this enforcement proceeding until after a final ruling by the Irish court system on Respondent’s application (in

Ireland) to set aside the arbitration award. Neither Respondent's motion nor Petitioner's subsequent Alternative Application to Post Suitable Security (Doc. # 18) have been ruled upon by this Court.

5. On May 12, 2017, the Irish High Court entered an Order that upheld the Arbitration Award and refused Respondent's request to set aside the award. The decision cannot be further appealed in the Irish court system under Irish law.

6. Notably, the Appeal addresses the same defenses to the Arbitration Award that were asserted by Respondent in its answer in this proceeding, and the principle of comity prevents those same issues from being re-litigated here.

7. No reason exists to delay enforcement of the Arbitration Award and an entry of Judgment as sought in Petitioner's Petition.

8. Petitioner's pray for an Order granting them the following relief:

- a) declaring Respondent's Motion to Stay Enforcement Proceeds (Doc # 11) and Petitioners' Alternative Application to Post Suitable Security (Doc# 18) as moot due to the resolution in Ireland of Respondent's unsuccessful attempt to set aside the Arbitration Award;
- b) confirming and enforcing the Arbitration Award;
- c) entering judgment in Petitioner's favor and against Respondent in accordance with the Arbitration Award in the amount of €349,648.79 plus any costs awarded;
- d) awarding costs and attorney fees associated with this case; and
- e) awarding such other relief as the Court deems just and proper.

DATED this 26th day of May, 2017.

KIERAN COUGHLAN and CLAIRE RIORDAN,
Petitioners

By: /s/ Steven G. Ranum
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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of May, 2017, I caused the above document to be filed with the Clerk of the Court using the CM/ECF system which gave notification electronically upon all parties who filed an appearance by electronic filing in this case, and I hereby certify that I have mailed by first class United States mail, postage prepaid, the document to the following:

None.

/s/ Steven G. Ranum
Steven G. Ranum, #24716

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